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The Honorable Eric Komitee
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Aleksandr Zhukov, 18-CR-633 (EK)

Dear Judge Komitee:

We write to provide the Court with a status report.

We have today filed a motion in the Court of Appeals in support of Mr. Zhukov's appeal from the Court's denial of bond. We will endeavor to provide the Court with a copy of the filing either by ECF or email to your Honor's case manager.

We have begun work on a renewed motion to dismiss the case. We expect the motion to argue that the violation of Mr. Zhukov's right to speedy trial is complete, but that steps can be taken relevant to the ongoing violations of Mr. Zhukov's right to counsel, due process, and fundamental fairness. We intend to file the motion next week.

After some difficulty in identifying someone to visit with Mr. Zhukov at the MDC to resume review of the government's discovery on a laptop, we identified attorney Andrew Mancilla, who was interested in the assignment and eager for the concomitant compensation. After complying with the MDC's various protocols, Mr. Mancilla visited Mr. Zhukov with a laptop at the MDC last week. For reasons which Mr. Mancilla will explain in a declaration (and can address in a teleconference with the Court), he declines to return to the MDC out of concern for his well-being. Mr. Mancilla's conclusion is that current conditions at the MDC are not suitable for prolonged, multi-hour, day-after-day review of the type of discovery in this case.

Our preoccupation with substantive issues in this case (and others) has denied us time to prepare an application for CJA funds for Mr. Mancilla and address other CJA budgeting issues. That task is on our to-do list, and we hope to get to it shortly.

As Officers of the Court who believe in Mr. Zhukov's defense, we will continue to work in good faith to honor our obligations to the Court and Mr. Zhukov, but the current state of things prompts us to brief a renewed application for dismissal.

While we are continuing to work on the above-described renewed motion to dismiss, we wanted the Court to have the benefit of this report in the interim.

Respectfully,

/s/ Andrew J. Frisch
Andrew J. Frisch

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Dami Animashaun
Andrew Mancilla
Of Counsel

cc: All Counsel